



THE CITY OF NEW YORK
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February 17, 2017

VIA ECF

Honorable Paul G. Gardephe
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Anthony Malik Ellis v. City of New York, et al.
16-CV-1827 (PGG)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney assigned to represent defendants in the above-referenced matter. I write respectfully in response to the Court's Order dated February 16, 2017. See Civil Docket Report, Document No. 41.

By way of background, on August 31, 2016, the parties reached a settlement agreement in the instant matter as well as eleven other actions plaintiff filed in the Southern District of New York.¹ By letter dated February 7, 2017 ("February 7 Letter"), plaintiff requested that this Court provide information regarding the status of his settlement proceeds, which he had evidently not received as of that date. See Civil Docket Report, Document No. 40. By Order dated February 16, 2017, this Court directed the undersigned to respond to plaintiff's February 14 Letter. See Civil Docket Report, Document No. 41. Upon information and belief, the New York City Comptroller's Office mailed plaintiff a check for the mutually agreed-upon monies to his address at Fishkill Correctional Facility on or about February 1, 2017, and that

¹ The respective docket numbers of plaintiff's eleven other actions are: 15-CV-4121 (AJN)(HBP); 15-CV-9030 (CM); 15-CV-9457 (RA); 15-CV-9475 (LTS) (JLC); 15-CV-9531 (PGG); 15-CV-9845 (ER)(SN); 16-CV-702 (LAP); 16-CV-1825 (KPF); 16-CV-1826 (VSB); 16-CV-1849 (RJS); and, 16-CV-2522 (AJP).

check has not yet been cashed. While it appears that plaintiff is currently incarcerated at Five Points Correctional Facility, our Office is informed by the staff at Fishkill Correctional Facility that any mail sent to plaintiff at his prior facility should be forwarded to him at his current facility. In the event that this Office becomes aware that the settlement check has been returned to sender, we will advise the Court and plaintiff immediately as to any necessary further steps.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Zachary Russell Bergman
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Anthony Malik Ellis
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(*via first-class mail*)